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RUEHCN/AMCONSUL CHENGDU 3097  
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C O N F I D E N T I A L SECTION 01 OF 02 TAIPEI 000571

SIPDIS

E.O. 12958: DECL: 05/12/2019

TAGS: [PGOV](#) [TW](#)

SUBJECT: FORMER PRESIDENT CHEN SHUI-BIAN TO REMAIN IN  
DETENTION

Classified By: AIT Director Stephen M. Young,  
Reasons: 1.4 (b/d)

¶1. (C) Summary: Former President Chen Shui-bian's detention was extended for another two months (May 26 - July 25) by the Taipei District Court on May 11. The decision came after a distraught Chen appeared in court on May 7 to appeal emotionally for his release from detention. Complaining to the court of various ailments, Chen began a hunger strike that led to a May 9-12 hospitalization. Although Chen is trying to link his hunger strike to the DPP's May 17 demonstration against the Ma administration, the party is keen on keeping the event focused on policy issues, such as cross-Straits relations, and not on Chen. End summary.

The CSB Merry-Go-Round  
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¶2. (SBU) On May 5, prosecutors indicted former President Chen Shui-bian and his wife Wu Shu-jen on two new charges, for taking bribes and violating the political donation act in connection with funds received from Chinatrust Financial Holding Vice Chairman Jeffrey Koo Junior. The new indictment was issued just two days before Chen was scheduled to appear in court for a hearing on whether he should be released or remain in detention. Observers predicted the new indictment made it unlikely that Chen would be released. In court on May 7 to deliver an emotional appeal for release, Chen appeared at times short of breath, coughing and shaking in the courtroom, and said he was suffering from heart pains and cold sweats. Television cameras later captured Chen virtually having to be carried by his guards from the vehicle into the detention center. Earlier in the day, Chen had had no problems walking out of the detention center to the vehicle for transportation to the court hearing. The court did not announce an immediate decision on Chen's detention.

¶3. (SBU) After Chen appeared in court, his office issued a statement later the same day in which Chen asked Presiding Judge Tsai Shou-hsun to give him a life sentence. "I will not appeal and my sentence can begin immediately," Chen stated, "Let's end this circus." Chen "rejected the illegal detention, illegal indictment and illegal trial," threatening to immediately dismiss his defense attorneys and revoke the summons of defense witnesses. Also, the former president announced he would go on a hunger strike until May 17, the day the DPP is slated to hold a large demonstration protesting against the policies of President Ma Ying-jeou's

administration. (Note: This is Chen's third hunger strike while in detention; family members persuaded him to end the first two.)

14. (SBU) On May 9, the Taipei Detention Center sent Chen to a hospital for examination and treatment for dehydration. While Chen was in the hospital, the Taipei District Court on May 11 announced its decision to extend his detention for another two months, from May 26 to July 25. The court reaffirmed the prosecutors' original arguments for detention, including the fear that Chen could collude with other witnesses or try to flee and the fact that his crimes carry a minimum five-year imprisonment if he is convicted. The court suggested Chen had exaggerated some of his physical discomfort, noting he had washed laundry, watched television, and issued a statement after returning to the Detention Center. Also, the court criticized Chen for attacks on the judicial process. (Note: Except for a brief period of several days, Chen has been in detention since early November.)

15. (SBU) The hospital released Chen early on May 12 and sent him back to the Detention Center. Medical examinations revealed he is suffering from slight dehydration and symptoms of arthritis, glaucoma, and bronchitis. The District Court, meanwhile, cancelled the day's scheduled trial session. Reportedly, Chen planned to use the session to announce to Judge Tsai his decision to dismiss his lawyers. (Note: If Chen formally dismisses his attorneys, the District Court has said it will appoint him an attorney.)

TAIPEI 00000571 002 OF 002

#### Reactions and Rally Implications

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16. (C) The DPP has called the decision to extend Chen's detention "unnecessary" and "politically motivated." DPP leaders acknowledged that some protestors might use the DPP's May 17 demonstration as an opportunity to voice their anger with the judicial system, but they stressed that the demonstration is aimed at protesting the faults of President Ma Ying-jeou's administration and not at supporting a particular individual. Soochow University's Political Science Department Chairman Lo Chih-cheng told us he does not expect the decision to extend Chen's detention to have a big effect on the demonstrations in Taipei and Kaohsiung on May 17.

17. (C) Lo suggested the KMT and DPP both need to tread cautiously when handling Chen. He said he was not surprised by the court's decision, adding that he expected Chen to be released only when it would benefit the KMT, for example, to distract public attention from economic problems or to influence the December local elections. If the KMT pushes Chen too hard, however, the situation could backfire as Taiwan people tend to sympathize with "victims," Lo opined. The DPP itself must also carefully calculate how to treat Chen. Chen may be starting to garner more support within the party, as indicated by former DPP Presidential candidate and longtime rival Frank Hsieh's surprise visit to Chen this morning, Lo suggested.

#### Comment

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18. (C) Chen is showing his penchant for dramatic gestures, and the court is trying hard not to take notice. Both sides of this political/judicial standoff seem fairly dug in at this stage, with the DPP finding it hard to discuss their famous first president's predicament, much as it frustrates Tsai Ing-wen's desire to focus on the future. We haven't seen the end of Chen's antics, and they could well swing some public opinion over to his side, but the courts seem determined not to be railroaded into freeing him for a while longer. What, if any, role the Ma government is playing at

this point depends on who you ask. Pro-Blue players insist there is no politization while most pro-Green elements claim the opposite, even if they acknowledge the former President has to account for the charges he faces. There is no end in sight yet to this standoff.

YOUNG